

EXHIBIT 24

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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF MASSACHUSETTS
5 No. 04-CV-11948-RGS

6 SEYED MOHSEN HOSSEINI-SEDEHY,

7 Plaintiff

8 vs.

9 ERIN T. WITHTINGTON and the CITY
10 OF BOSTON,

11 Defendants

12
13 DEPOSITION OF ERIN T. WITHTINGTON

14 Thursday, March 31, 2005

15 10:00 a.m. - 4:32 p.m.

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24 Reporter: Cynthia C. Henderson/RPR

Erin T. Withington - March 31, 2005

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| <p>1 A. Once I left a message, never heard back 2 from anyone. I called either the next day or the 3 day after that, spoke to somebody who said they 4 would get back to me, and then I had to call again 5 and was told they were not going to give me any 6 information.</p> <p>7 Q. Now, in this report you had indicated that 8 you called Mr. Perry in an effort to reach Mr. 9 Hosseini to make him aware of the allegations. Was 10 that your intent when you talked to Mr. John Perry? 11 Did you want to make Mr. Hosseini aware of the 12 allegations?</p> <p>13 A. That was my intent, to speak with 14 Mr. Hosseini, yes.</p> <p>15 Q. But there is nothing in any reports that 16 you have that you actually ever made 17 Mr. Hosseini aware of any allegations; correct?</p> <p>18 A. No.</p> <p>19 Q. In fact, during your conversation with Mr. 20 Hosseini on March 4th, 2004 you let 21 Mr. Hosseini do the talking; correct?</p> <p>22 A. Yes.</p> <p>23 Q. You didn't provide any information to him; 24 correct?</p> | 222 | <p>1 Q. And was that about a week before you 2 printed out the reports, Exhibit 23, 24, and 25?</p> <p>3 A. Yes.</p> <p>4 Q. I had asked some questions about John 5 Perry's comments concerning Mr. Bavis, and we 6 discussed that, but I haven't asked you further 7 questions about Jimmy Flynn's comments about Mr. 8 Bavis, and you had indicated Mr. Flynn had called 9 Bavis a loudmouth; is that correct?</p> <p>10 A. Yes.</p> <p>11 Q. And you also did not mention that 12 Mr. Flynn had anything bad to say about 13 Mr. Hosseini; correct?</p> <p>14 A. Yes.</p> <p>15 Q. He didn't say anything bad about 16 Mr. Hosseini; correct?</p> <p>17 A. Not that I remember.</p> <p>18 Q. Did you ask Mr. Flynn why he would consider 19 Bavis a loudmouth?</p> <p>20 A. No.</p> <p>21 Q. Did you consider that a negative 22 characterization that Mr. Flynn was trying to convey 23 to you when he called Mr. Bavis a loudmouth?</p> <p>24 A. No.</p> | 224 |
| <p>1 A. I must have told him to leave the victim 2 alone. So I must have told him at some point who 3 the victim was, according to my report.</p> <p>4 Q. But that report wasn't drafted on March 4, 5 2004, was it?</p> <p>6 A. No.</p> <p>7 Q. In fact, that report that you referred to 8 where it said you told Mr. Hosseini to leave the 9 victim alone, that wasn't drafted until after you 10 arrested Mr. Hosseini; correct?</p> <p>11 A. Yes.</p> <p>12 (Summons for civil action marked 13 Exhibit No. 26 for 14 identification.)</p> <p>15 Q. Exhibit 26, what is that?</p> <p>16 A. A summons for a civil action.</p> <p>17 Q. Is that the summons for the civil action in 18 this case in which Mr. Hosseini filed a civil action 19 against you?</p> <p>20 A. Yes.</p> <p>21 Q. When did you receive that summons?</p> <p>22 A. 9/29/04.</p> <p>23 Q. September 29, 2004?</p> <p>24 A. Yes.</p> | 223 | <p>1 Q. You didn't regard that as negative?</p> <p>2 A. No. Just that was his opinion of him.</p> <p>3 Q. And that was a negative opinion that was 4 conveyed to you; right?</p> <p>5 A. Yes. I mean saying somebody is loud.</p> <p>6 Q. He didn't say Mr. Bavis spoke in a loud 7 tone; he called him a loudmouth, which is a 8 disparaging term?</p> <p>9 A. Yes.</p> <p>10 Q. After you received that disparaging term 11 from Mr. Flynn regarding Mr. Bavis and John Perry's 12 disparaging remark about Mr. Bavis, did that cause 13 you to question Mr. Bavis's credibility at all?</p> <p>14 A. No.</p> <p>15 Q. Did you disregard the information that John 16 Perry gave you regarding "Bavis's bullshit" and the 17 information from Jimmy Flynn regarding the fact that 18 he believed Bavis to be a loudmouth, did you 19 disregard that information when you made a 20 determination whether or not to seek an arrest 21 warrant for Mohsen Hosseini on March 22nd, 2004?</p> <p>22 MS. AMABARIK: Objection. You can 23 answer.</p> <p>24 A. Yes.</p> | 225 |